

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

LEE LACY,

Plaintiff.

V.

PALMER, *et al.*,

Defendants.

CASE NO. 12cv624-MMA (JMA)

**NOTICE AND ORDER
PROVIDING TENTATIVE
RULINGS RE: DEFENDANTS'
MOTION IN LIMINES**

[Doc. Nos. 106, 110]

19 Currently set for hearing before the Court on Monday, November 10, 2014,
20 are Defendants' motions in limine numbers 1 through 3. *See* Doc. Nos. 106, 110.
21 Having considered the parties' submissions, and in anticipation of Monday's
22 hearing, the Court issues the following tentative rulings:

23 1. The Court tentatively **GRANTS** Defendants' motion in limine to
24 exclude evidence of prior incidents involving Defendant Elizabeth Palmer pursuant
25 to Federal Rule of Civil Procedure 404(b). *See United States v. Cherer*, 513 F.3d
26 1150, 1157 (9th Cir. 2008).

27 2. The Court tentatively **GRANTS** Defendants' motion in limine to
28 exclude evidence suggesting the County's Policies or Practices are Unlawful.

1 3. The Court tentatively **DENIES AS MOOT** Defendants' motion in
2 limine to exclude reference to Plaintiff's Citizen's Complaint and Resulting Internal
3 Affairs Investigation. The parties appear to agree that neither Plaintiff's filing of a
4 citizen's complaint nor the resulting Internal Affairs Investigation is probative to the
5 issue of excessive force.

6 The Court advises the parties that these rulings are tentative. The Court will
7 entertain additional argument at the hearing on Monday, November 10, 2014.

8 **IT IS SO ORDERED.**

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10 DATED: November 7, 2014

11 
12 Hon. Michael M. Anello
13 United States District Judge

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